

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:
RICHARD R PERRY,
BABETTE PERRY
DEBTORS

CHAPTER 13
CASE NO. 19-45998-MAR
JUDGE MARK A RANDON

**TRUSTEE'S OBJECTION TO THE AMENDED PROOF OF CLAIM OF MICHIGAN DEPARTMENT OF
TREASURY FILED ON MARCH 20, 2020 AS COURT CLAIM 41-2**

NOW COMES the Chapter 13 Trustee, Krispen S. Carroll, and states as follows:

1. The Trustee objects to the Amended Proof of Claim filed by Michigan Department of Treasury on March 20, 2020 as a priority and unsecured claim in the total amount of \$41,793.14 as documents attached only evidence a total debt amount of \$23,121.57.

WHEREFORE, the Chapter 13 Trustee prays this Honorable Court allow the claim of Michigan Department of Treasury filed on March 20, 2020 as Court claim 41-2 as a class 7 priority for \$18,671.57 and as a class 9 unsecured for \$4,450.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

August 11, 2020

/s/ Maria Gotsis

Krispen S. Carroll (P49817)
Margaret Conti Schmidt (P42945)
Maria Gotsis (P67107)
719 Griswold Street, Suite 1100
Detroit, MI 48226
313/962-5035
notice@det13ksc.com

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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IN THE MATTER OF:
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BABETTE PERRY
DEBTORS

CHAPTER 13
CASE NO. 19-45998-MAR
JUDGE MARK A RANDON

**ORDER GRANTING TRUSTEE'S OBJECTION TO PROOF OF CLAIM OF MICHIGAN DEPARTMENT
OF TREASURY FILED ON MARCH 20, 2020 AS COURT CLAIM 41-2**

This matter having come before the Court by way of objection of the Chapter 13 Trustee to the allowance of above-referenced claim of Michigan Department of Treasury on March 20, 2020 as Court claim 41-2, service having been made with a notice of hearing allowing a thirty (30) day notice period pursuant to F.R.Bankr.P. 3007, the requisite time having passed without a response having been timely served and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the claim of Michigan Department of Treasury filed on March 20, 2020 as Court claim 41-2 shall be allowed as a class 7 priority claim in the amount of \$18,671.57 and as a class 9 unsecured claim in the amount of \$4,450.

EXHIBIT "A"

**UNITED STATES BANKRUPTCY COURT
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BABETTE PERRY
AKA/DBA:
Debtors.

CHAPTER 13
CASE NO. 19-45998-MAR
JUDGE MARK A RANDON

Address
9997 ANDOVER DR
BELLEVILLE, MI 48111-0000

Last four digits of Social Security or Individual Tax-payer Identification (ITIN) No(s), (if any):
3241,7349

Employer's Tax Identification (EIN) No(s).(if any): _____

NOTICE OF OBJECTION TO CLAIM

The Chapter 13 Trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or disallowed. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before **October 7, 2020**, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at¹:

U.S. Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, Michigan

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

¹ Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e)

You must also send a copy to:

Office of the Chapter 13 Trustee
719 Griswold Street, Suite 1100
Detroit, MI 48226

RICHARD R PERRY
BABETTE PERRY
9997 ANDOVER DR
BELLEVILLE, MI 48111

FREGO AND ASSOCIATES
23843 JOY ROAD
DEARBORN HEIGHTS, MI 48127

Michigan Department of Treasury
Bankruptcy Unit, PO Box 30168
Lansing, MI 48909

2. Attend the hearing on the objection, scheduled to be held on **October 14, 2020 at 10:00 a.m.** in Courtroom **1825**, United States Bankruptcy Court, 211 W. Fort Street, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney do not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

August 11, 2020

/s/ Maria Gotsis

Krispen S. Carroll (P49817)
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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed **TRUSTEE'S OBJECTION TO PROOF OF CLAIM OF MICHIGAN DEPARTMENT of Treasury FILED ON MARCH 20, 2020 As COURT CLAIM 41-2** and **NOTICE OF OBJECTION TO CLAIM** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

FREGO AND ASSOCIATES
23843 JOY ROAD
DEARBORN HEIGHTS, MI 48127

and I hereby certify that I have mailed by United States Postal Service the above mentioned documents to the following non-ECF participants:

RICHARD R PERRY
BABETTE PERRY
9997 ANDOVER DR
BELLEVILLE, MI 48111

MICHIGAN DEPARTMENT OF TREASURY
BANKRUPTCY UNIT, PO BOX 30168
LANSING, MI 48909

August 11, 2020

/s/ Angelique James

Angelique James

For the Office of the Chapter 13 Trustee-Detroit

719 Griswold Street, Suite 1100

Detroit, MI 48226

313/962-5035

notice@det13ksc.com